



Montana Fish, Wildlife & Parks

2300 Lake Elmo Drive
Billings, MT 59105

NOTICE OF DECISION January 26, 1999

TO: Environmental Quality Council
Director's Office, Dept. of Environmental Quality
Montana Fish, Wildlife & Parks

Director's Office
Parks Division
Fisheries Division
Wildlife Division

Lands Section
Design & Construction
Legal Unit
Regional Supervisors

Montana Historical Society, State Preservation Office
Janet Ellis, Montana Audubon Council
Montana Wildlife Federation
Montana State Library
George Ochenski
Montana Environmental Information Center
Wayne Hirst, Montana State Parks Foundation
Representative Bob Raney
County Commissioners
Don Kendall, DNRC Area Manager, Southern Land Office

Ladies and Gentlemen:

A Draft Environmental Assessment (EA) was prepared for the installation of rip-rap around the handicapped accessible fishing platform at **Captain Clark Fishing Access Site** on the Yellowstone River. The draft EA was circulated for 30 days and legal notices were published in the Billings Gazette, the Helena Independent Record, and the Big Horn County News, as well as Montana's electronic bulletin board.

No objections to the draft EA were received; the only comment received was a favorable one. The department has decided, therefore, to release the final EA in its original draft form, and begin work on this stabilization project as soon as weather permits.

Sincerely,

Richard Ellis
Regional Supervisor

Yellowstone

DRAFT DRAFT DRAFT DRAFT

MEPA/NEPA/HB495 CHECKLIST

PART I. PROPOSED ACTION DESCRIPTION

1. **Type of Proposed State Action** Install Rip-Rap around Handicapped Accessible Fishing Platform at Captain Clark Fishing Access Site on the Yellowstone River.

2. **Agency Authority for the Proposed Action** The 1977 Montana Legislature enacted statute 87-1-605 which directs Montana Fish, Wildlife and Parks (MFWP) to acquire, develop and operate a system of fishing accesses. The legislature established an earmarked funding account to ensure that this function would be accomplished.

3. **Name of Project** Stabilize Fishing Platform at Captain Clark Fishing Access Site.

4. **Name, Address and Phone Number of Project Sponsor (if other than the agency)**

MFWP sponsored.

5. **If Applicable:**

Estimated Construction/Commencement Date Spring 1999

Estimated Completion Date Spring 1999

Current Status of Project Design (% complete) 75%

6. **Location Affected by Proposed Action (county, range and township)**

Yellowstone County, Township 4N, Range 32 E, Sections 26 & 27, approximately 40 miles east of Billings.

7. **Project Size: Estimate the number of acres that would be directly affected that are currently:**

(a) Developed:
residential _ acres
industrial _ acres

(b) Open Space/Woodlands/
Recreation <1 acres

(c) Wetlands/Riparian
Areas _ acres

(d) Floodplain <1 acres

(e) Productive:
irrigated cropland .. _ acres
dry cropland _ acres
forestry _ acres
rangeland _ acres
other _ acres

8. **Map/site plan: attach an original 8 1/2" x 11" or larger section of the most recent USGS 7.5' series topographic map showing the location and boundaries of the area that would be affected by the proposed action. A different map scale may be substituted if more appropriate or if required by agency rule. If available, a site plan should also be attached.**

See USGS map (Waco Quadrangle) attached and site plan of affected area.

9. **Narrative Summary of the Proposed Action or Project including the Benefits and Purpose of the Proposed Action.**

A fully accessible fishing platform was constructed at Captain Clark Fishing Access Site in 1995. The high waters of the Yellowstone River eroded the surrounding banks in Spring of 1997. Nearly the entire structure is now jutting into the river, exposing the concrete walls and causing the front of the platform to tilt into the river. It is necessary to stabilize the surrounding banks and concrete walls with rip rap to prevent further undermining and eventual failure of the structure. Public safety could become a concern if erosion continues around the platform.

This proposal is dependent upon low water levels for construction. Work includes excavating a trench around the platform to secure rip rap. The excavated material (approximately 50 cubic yards) will be used as cover and fill for the rip rap. Excess material will be spread to the west, adjacent to the existing latrine and sidewalk, and seeded with native grasses. The rip rap wall will be eight feet (8') high, twelve feet (12') wide at the base, and four feet (4') wide at the top, with an outside slope of one and one half to one (1½ : 1). These wing walls will be twenty-five feet (25') long from the front of the platform into the bank. The rip rap wings will extend into the bank and beyond the length of the platform walls to help reduce any future erosion around the structure. Rip rap will be obtained from a local quarry consisting of Class III, dense sandstone, rip rap (three foot diameter maximum or about 700-pound rocks). Please refer to the attached schematic drawing.

The rip rap installation process will require coffer dams to divert water around the area for installation. Jersey rails (three and a half feet high) will be installed in the river with plastic on the outside and dirt laid against them to aid in sealing the dam. A pump will remove water around the platform. No equipment will enter the stream.

The platform deck and section of sidewalk immediately adjacent to the platform will be removed and disposed of off site. A rear wall to the platform will be poured to eliminate possibility of water washing under the platform deck. Any void inside the platform will be filled with pit run gravel. The four-inch thick platform deck and sidewalk section will be re-poured.

10. **Listing of any other Local, State or Federal agency that has overlapping or additional jurisdiction.**

(a) **Permits:**

<u>Agency Name</u>	<u>Permit</u>	<u>Date Filed/#</u>
Water Quality Bureau	3A Permit	Received
Corps of Engineers	404 Permit	Received
MFWP	124 Permit	Received

(b) **Funding:**

<u>Agency Name</u>	<u>Funding Amount</u>
Federal Emergency Management Act	\$ 5,987
MFWP General License Account	16,013
TOTAL ESTIMATED COST	\$22,000

(c) **Other Overlapping or Additional Jurisdictional Responsibilities:**

<u>Agency Name</u>	<u>Type of Responsibility</u>
State Historical Preservation Office	Cultural Clearance

11. **List of Agencies Consulted During Preparation of the EA:**

MFWP - Fisheries Division
Design and Construction Division
Parks Division

PART II. ENVIRONMENTAL REVIEW

PHYSICAL ENVIRONMENT

1. LAND RESOURCES	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
▶ a. Soil instability or changes in geologic substructure?		X				1a.
b. Disruption, displacement, erosion, compaction, moisture loss, or over-covering of soil which would reduce productivity or fertility?			X			1b.
▶ c. Destruction, covering or modification of any unique geologic or physical features?		X				1c.
d. Changes in siltation, deposition or erosion patterns that may modify the channel of a river or stream or the bed or shore of a lake?			X		yes	1d.
e. Exposure of people or property to earthquakes, landslides, ground failure, or other natural hazard?		X				
f. Other <u>N/A</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

1a. No changes to the soil stability or geologic substructure are anticipated.

1b. About 50 cubic yards (cy) of substrate will be removed for placement and stabilization of the rip rap along the platform walls. This is under water most of the year. This excavated material will be fill and cover the rip rap wings. Excess material will be spread and seeded with native grass adjacent to (west of) the existing latrine and sidewalk. The period of reduced productivity in this area will be minimal, as seeding will occur in early spring.

c. No unique geologic or physical features will be altered with this project.

1d. Excavation to provide a base for the rip rap walls will result in minor and temporary amounts of deposition and erosion. This action requires coffer dams, therefore the river channel will be modified for the short construction period of a week or ten days. MFWP has consulted a hydrologist to help foresee impacts to the existing downstream boat ramp as a result of this platform now extending into the river. It was determined that the ramp and river channel will not be adversely affected, therefore this proposed rip rap project is being pursued to maintain the recreational opportunities provided by the fully accessible platform.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

2. <u>AIR</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
► a. Emission of air pollutants or deterioration of ambient air quality? (also see 13 (c))		X				2a.
b. Creation of objectionable odors?		X				
c. Alteration of air movement, moisture, or temperature patterns or any change in climate, either locally or regionally?		X				
d. Adverse effects on vegetation, including crops, due to increased emissions of pollutants?		X				
e. ♦For P-R/D-J projects, will the project result in any discharge which will conflict with federal or state air quality regs? (Also see 2a)		N/A				
f. Other _____ N/A _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Air Resources (Attach additional pages of narrative if needed):

2a. Air pollutants are not expected to increase as a result of this project.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

3. <u>WATER</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
► a. Discharge into surface water or any alteration of surface water quality including but not limited to temperature, dissolved oxygen or turbidity?			X		yes	3a.
b. Changes in drainage patterns or the rate and amount of surface runoff?		X				
c. Alteration of the course or magnitude of flood water or other flows?		X				
d. Changes in the amount of surface water in any water body or creation of a new water body?		X				
e. Exposure of people or property to water related hazards such as flooding?		X				
f. Changes in the quality of groundwater?		X				
g. Changes in the quantity of groundwater?		X				
h. Increase in risk of contamination of surface or groundwater?		X				
i. Effects on any existing water right or reservation?		X				
j. Effects on other water users as a result of any alteration in surface or groundwater quality?		X				
k. Effects on other users as a result of any alteration in surface or groundwater quantity?		X				
l. ♦♦For P-R/D-J, will the project affect a designated floodplain? (Also see 3c)		N/A				
m. ♦For P-R/D-J, will the project result in any discharge that will affect federal or state water quality regulations? (Also see 3a)		N/A				
n. Other: _____ N/A _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Water Resources (Attach additional pages of narrative if needed):

3a. The proposed project will cause temporary and minor amounts of turbidity. Measures will be specified in the contract to mitigate the effect on the surface water quality, including the use of coffer dams. Construction of the proposed project will take a week to ten days during a period of naturally low river levels.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

4. <u>VEGETATION</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Changes in the diversity, productivity or abundance of plant species (including trees, shrubs, grass, crops, and aquatic plants)?		X				
b. Alteration of a plant community?			X			4b.
c. Adverse effects on any unique, rare, threatened, or endangered species?		X				
d. Reduction in acreage or productivity of any agricultural land?		X				
e. Establishment or spread of noxious weeds?			X			4e.
f. ♦♦For P-R/D-J, will the project affect wetlands, or prime and unique farmland?		N/A				
g. Other: <u>N/A</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

4b. A small area of vegetation will be covered by excavated material.

4e. Areas disturbed during construction of the proposed project become prone to the establishment of noxious weeds. Native grass seed will be planted at the conclusion of the project to re-vegetate the site and to reduce the establishment of noxious weed species. In addition, ongoing weed control efforts (mechanical and chemical) will target disturbed areas until adequate ground cover has returned.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

PHYSICAL ENVIRONMENT

► 5. <u>FISH/WILDLIFE</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Deterioration of critical fish or wildlife habitat?			X (positive)			5a.
b. Changes in the diversity or abundance of game animals or bird species?		X				
c. Changes in the diversity or abundance of non-game species?		X				
d. Introduction of new species into an area?		X				
e. Creation of a barrier to the migration or movement of animals?		X				
f. Adverse effects on any unique, rare, threatened, or endangered species?		X				
g. Increase in conditions that stress wildlife populations or limit abundance (including harassment, legal or illegal harvest or other human activity)?			X			5g.
h. ♦♦For P-R/D-J, will the project be performed in any area in which T&E species are present, and will the project affect any T&E species or their habitat? (Also see 5f)		N/A				
i. ♦For P-R/D-J, will the project introduce or export any species not presently or historically occurring in the receiving location? (Also see 5d)		N/A				
j. Other: _____ N/A _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

The area surrounding the existing fishing platform has previously been disturbed. The proposed actions are expected to have very little impact on the area fish and wildlife. No known threatened or endangered species inhabit the site.

5a. The proposed rip rap structure may provide additional habitat supporting catfish, smallmouth bass, and burbot in this section of the Yellowstone River.

5g. Minor and temporary displacement of wildlife may occur during the week of construction due to the increased noise, activity, and equipment in the area.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

6. <u>NOISE/ELECTRICAL EFFECTS</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Increases in existing noise levels?			X			6a.
b. Exposure of people to serve or nuisance noise levels?		X				
c. Creation of electrostatic or electromagnetic effects that could be detrimental to human health or property?		X				
d. Interference with radio or television reception and operation?		X				
e. Other: <u>N/A</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

6a. Temporary increases in noise levels can be expected during the construction period due to heavy equipment use (backhoe, crane, cement trucks, etc) necessary to complete the proposed project.

HUMAN ENVIRONMENT

7. <u>LAND USE</u> Will the proposed action result in:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Alteration of or interference with the productivity or profitability of the existing land use of an area?		X				
b. Conflicted with a designated natural area or area of unusual scientific or educational importance?		X				
c. Conflict with any existing land use whose presence would constrain or potentially prohibit the proposed action?		X				
d. Adverse effects on or relocation of residences?		X				
e. Other: <u>N/A</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

8. <u>RISK/HEALTH HAZARDS</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Risk of an explosion or release of hazardous substances (including, but not limited to oil, pesticides, chemicals, or radiation) in the event of an accident or other forms of disruption?		X				
b. Affect an existing emergency response or emergency evacuation plan or create a need for a new plan?		X				
c. Creation of any human health hazard or potential hazard?			X (positive)			8c.
d. ♦For P-R/D-J, will any chemical toxicants be used? (Also see 8a)		N/A				
e. Other: _____ N/A _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

8c. The proposed project will avoid potential human health hazards by stabilizing the area surrounding the platform.

HUMAN ENVIRONMENT

9. <u>COMMUNITY IMPACT</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Alteration of the location, distribution, density, or growth rate of the human population of an area?		X				
b. Alteration of the social structure of a community?		X				
c. Alteration of the level or distribution of employment or community or personal income?		X				
d. Changes in industrial or commercial activity?		X				
e. Increased traffic hazards or effects on existing transportation facilities or patterns of movement of people and goods?		X				
f. Other: _____ N/A _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

10. <u>PUBLIC SERVICES/TAXES/UTILITIES</u> Will the proposed action:	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
a. Have an effect upon or result in a need for new or altered governmental services in any of the following areas: fire or police protection, schools, parks/recreational facilities, roads or other public maintenance, water supply, sewer or septic systems, solid waste disposal, health, or other governmental services? If any, specify:		X				
b. Have an effect upon the local or state tax base and revenues?		X				
c. Result in a need for new facilities or substantial alterations of any of the following utilities: electric power, natural gas, other fuel supply or distribution systems, or communications?		X				
d. Result in increased used of any energy source?		X				
▶ e. Define projected revenue sources						10e.
▶ f. Define projected maintenance costs.						10f.
g. Other: <u>N/A</u>						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

10e.	Federal Emergency Management Act	\$ 5,987
	Redirected MFWP - General License Account	16,013
	TOTAL	\$22,000

10f. The proposed project should require no additional maintenance.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

- ▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)
- ◆ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.
- ◆◆ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

▶ 11. <u>AESTHETICS/RECREATION</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
a. Alteration of any scenic vista or creation of an aesthetically offensive site or effect that is open to public view?		X				
b. Alteration of the aesthetic character of a community or neighborhood?		X				
▶c. Alteration of the quality or quantity of recreational/tourism opportunities and settings? (Attach Tourism Report)		X				11c.
d. ♦For P-R/D-J, will any designated or proposed wild or scenic rivers, trails or wilderness areas be impacted? (Also see 11a, 11c)		N/A				
e. Other: _____ N/A _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

It is anticipated that the proposed action will be more aesthetically acceptable than the current (or future) erosion that has occurred around the platform structure. The use of local sandstone rip rap and covering the stones with the excavated material will aid in blending the new construction with the natural environment.

11c. The proposed action will ensure continued recreation, including handicapped accessible fishing opportunities, at a high quality fishing access site. If the platform is not stabilized, it will soon need to be removed due to safety hazards, therefore diminishing the quality of the site.

HUMAN ENVIRONMENT

12. <u>CULTURAL/HISTORICAL RESOURCES</u>	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action result in:						
▶a. Destruction or alteration of any site, structure or object of prehistoric historic, or paleontological importance?		X				12a.
b. Physical change that would affect unique cultural values?		X				
c. Effects on existing religious or sacred uses of a site or area?		X				
d. ♦♦For P-R/D-J, will the project affect historic or cultural resources? Attach SHPO letter of clearance. (Also see 12.a)		NA				
e. Other: _____ N/A _____						

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

12a. Captain Clark Fishing Access Site was surveyed for archeological sites in 1983 and 1992 revealing two sites. Site A is in the immediate area of the proposed action which was disturbed during original construction. This site was determined to be ineligible for listing in the National Register of Historic Places. This project does not warrant further survey or clearance from SHPO, however, please reference Attachment 5: clearance letter written in 1992 by SHPO archeologist concerning original construction of latrine, platform and sidewalks.

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

▶ Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

HUMAN ENVIRONMENT

13. SUMMARY EVALUATION OF SIGNIFICANCE	IMPACT*				Can Impact Be Mitigated*	Comment Index
	Unknown*	None	Minor*	Potentially Significant		
Will the proposed action, considered as a whole:						
a. Have impacts that are individually limited, but cumulatively considerable? (A project or program may result in impacts on two or more separate resources which create a significant effect when considered together or in total.)		X				
b. Involve potential risks or adverse effects which are uncertain but extremely hazardous if they were to occur?		X				
c. Potentially conflict with the substantive requirements of any local, state, or federal law, regulation, standard or formal plan?		X				
d. Establish a precedent or likelihood that future actions with significant environmental impacts will be proposed?		X				
e. Generate substantial debate or controversy about the nature of the impacts that would be created?		X				
f. ♦For P-R/D-J, is the project expected to have organized opposition or generate substantial public controversy? (Also see 13e)		N/A				
g. ♦♦For P-R/D-J, list any federal or state permits required.		N/A				

Narrative Description and Evaluation of the Cumulative and Secondary Effects on Land Resources (Attach additional pages of narrative if needed):

Include a narrative explanation under Part III describing the scope and level of impact. If the impact is unknown, explain why the unknown impact has not or can not be evaluated.

► Include a narrative description addressing the items identified in 12.8.604-1a (ARM)

♦ Determine whether the described impact may result and respond on the checklist. Describe any minor or potentially significant impacts.

♦♦ Include a discussion about the issue in the EA narrative and include documentation if it will be useful.

1. Description and analysis of reasonable alternatives (including the no action alternative) to the proposed action whenever alternatives are reasonably available and prudent to consider and a discussion of how the alternatives would be implemented:

Alternative 1. No Action

This alternative does not address current erosion problems undermining the fishing platform. If this structural issue is not solved, MFWP may consider removing the platform altogether. Without further stabilization at the base of the platform, future high water runoff will undermine the entire structure. The platform provides a valuable recreational opportunity not yet readily available in fishing access sites across the state.

Alternative 2. Proposed Alternative: Install Rip Rap at Platform Base.

This alternative is relatively inexpensive and long lasting, based on similar uses of rip rap in similar situations (boat ramps, etc). If stabilization of the structure does not occur, the platform will continue to tilt in front and the bank will erode under the sidewalk. Eventually the concrete will collapse, creating public safety hazards and requiring the structure to be removed.

Alternative 3. Remove Entire Fishing Platform.

Federal guidelines require public facilities to be accessible to those of all abilities. Captain Clark is one of few fishing access sites to accommodate those with physical limitations. This option would cause non-compliance with federal guidelines, and it would be expensive to remove and dispose of this relatively new facility.

2. Evaluation and listing of mitigation, stipulation, or other control measures enforceable by the agency or another government agency:

Water quality is always a concern when conducting work near a water body. Turbidity, erosion, and soil displacement can be mitigated with construction specifications such as: coffer dams, erosion controls, eliminating equipment in the water, and seeding native grasses in disturbed areas upon project completion. Noise levels will rise only during the time of construction, which is expected to be only a week or ten days. Heavy equipment use is necessary to complete the project.

MFWP specifications will require that no vegetation be removed past the immediate construction zone to minimize dust, erosion, and possible noxious weed growth. This will limit the impacts on the vegetative species, and wildlife in the area.

3. Based on the significance criteria evaluated in this EA, is an EIS required? NO If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

This review has clearly demonstrated that the impacts associated with this project are not significant. The net result of the proposed work is a positive impact to the human and natural environment. Due to the insignificant negative impacts of the proposed action, an EA is the appropriate level of analysis and an EIS is not required.

4. Describe the level of public involvement for this project if any and, given the complexity and the seriousness of the environmental issues associated with the proposed action, is the level of public involvement appropriate under the circumstances?

The public will be notified in the following manners to comment on the EA, the proposed action, and the alternatives:

- 6 legal notices: two notices published one week apart in each of these three newspapers: Billings Gazette, Bighorn County News (Hardin), and the Helena Independent Record,
- 1 legal notice on Montana's electronic bulletin board,
- 1 statewide press release.

The opportunities for public input listed above are appropriate for the proposed project since little or no environmental impacts are identified and little or no public controversy is expected.

5. Duration of comment period if any:

Thirty (30) days from release of EA, January 18, 1999.

6. Name, title, address and phone number of the Person(s) Responsible for Preparing the EA:

Sue Dalbey
Dalbey Resources
Independent Consultant
926 N. Lamborn St.
Helena, MT 59601
(406)443-8058

Doug Habermann
MFWP
Region 5 Parks Manager
2300 Lake Elmo Dr.
Billings, MT 59105
(406)247-2954

PART III. NARRATIVE EVALUATION AND COMMENT

Original construction of the fishing platform at Captain Clark Fishing Access Site intended to avoid erosion by keeping the front of the platform flush with the bank. Flooding that occurred in the spring of 1997 caused much of the erosion apparent today. The facility has seen much use and is an asset to the recreational fisherman, particularly to those with physical challenges. The proposed rip rap installation will sufficiently secure the platform in an efficient and long lasting manner.

The negative impacts of the proposed action are temporary and minor. All disturbed areas will be graded and seeded. No unique cultural, geologic, or physical features will be affected. No threatened or endangered species will be disturbed. Wetlands or prime farmland will not be affected. Water quality impacts will be limited to a short period including about ten days of construction.

Attachments:

1. HB495 Qualification Checklist
2. Site Location Map (USGS, Waco Quadrangle)
3. Site Plan
4. Schematic Drawing of Construction
5. Clearance Letter (for original construction) - State Historic Preservation Office (SHPO)
6. Tourism Report

ATTACHMENT 1

HB495 PROJECT QUALIFICATION CHECKLIST

Date: October 15, 1998

Person Reviewing: Sue Dalbey,
Dalbey Resources

PROJECT LOCATION: Captain Clark Fishing Access Site approximately 40 miles east of Billings on the Yellowstone River, Yellowstone County, T4N, R32E, Sections 26 & 27.

DESCRIPTION OF PROPOSED WORK: Install coffer dam around handicapped accessible fishing platform; excavate base to install Class III Rip Rap (3' diameter maximum) around walls; remove platform deck and first adjacent section of sidewalk; install rear wall to platform; re-pour cement deck and sidewalk.

The following checklist is intended to be a guide for determining whether a proposed development or improvement is of enough significance to fall under HB495 rules. Please check (✓) all that apply and comment as necessary. Capital Construction projects prepared by D & C; Force Account projects prepared by Region.

[] A. New roadway or trail built over undisturbed land?
Comments: None.

[] B. New building construction (buildings <100 sf and vault latrines exempt)?
Comments: None.

[✓] C. Any excavation of 20 c.y. or greater?
Comments: Yes. It is anticipated that 50 c.y. will be excavated to create a base for the rip rap.

[] D. New parking lots built over undisturbed land or expansion of existing lot that increases parking capacity by 25% or more?
Comments: None.

[✓] E. Any new shoreline alteration that exceeds a double wide boat ramp or handicapped fishing station?
Comments: Yes. Stabilization of the existing handicapped fishing station will include rip rap wing walls four feet wide on both sides and front of the platform. The wings will extend into the bank twenty-five feet from the front of the rip rap wall. The wing walls will be eight feet tall, twelve feet wide at the base and four feet wide at the top, with an outside slope of one and one half to one.

☒ F. Any new construction into lakes, reservoirs, or streams?

Comments: Yes. See Number E. above.

☒ G. Any new construction in an area with National Registry quality cultural artifacts (as determined by State Historical Preservation Office)?

Comments: Yes. The excavated material will be deposited and spread over a known archeological site within the Fishing Access Site boundaries.

☐ H. Any new above ground utility lines?

Comments: None.

☐ I. Any increase or decrease in campsites of 25% or more of an existing number of campsites?

Comments: None.

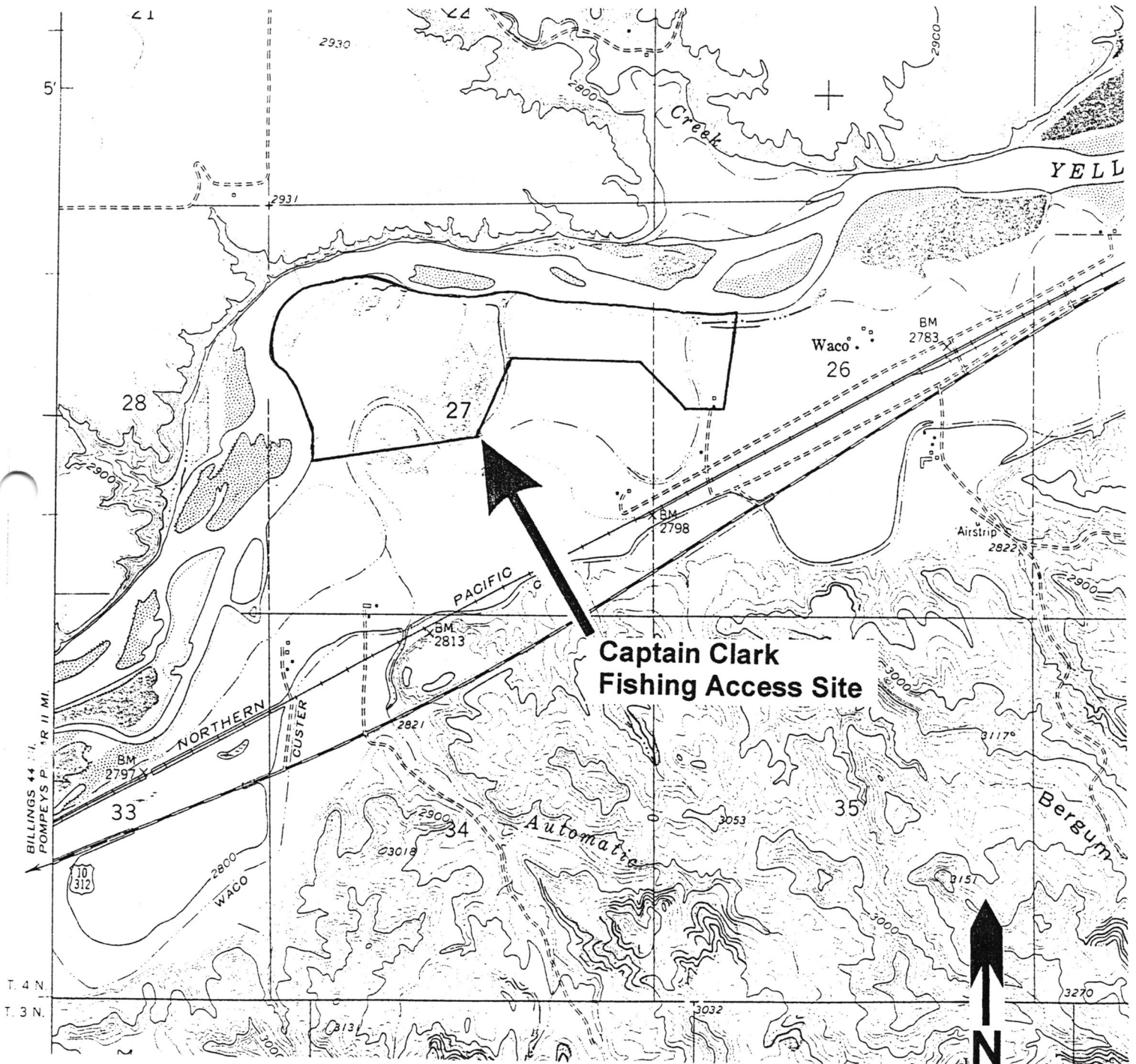
☐ J. Proposed project significantly changes the existing features or use pattern; including effects of a series of individual projects?

Comments: None.

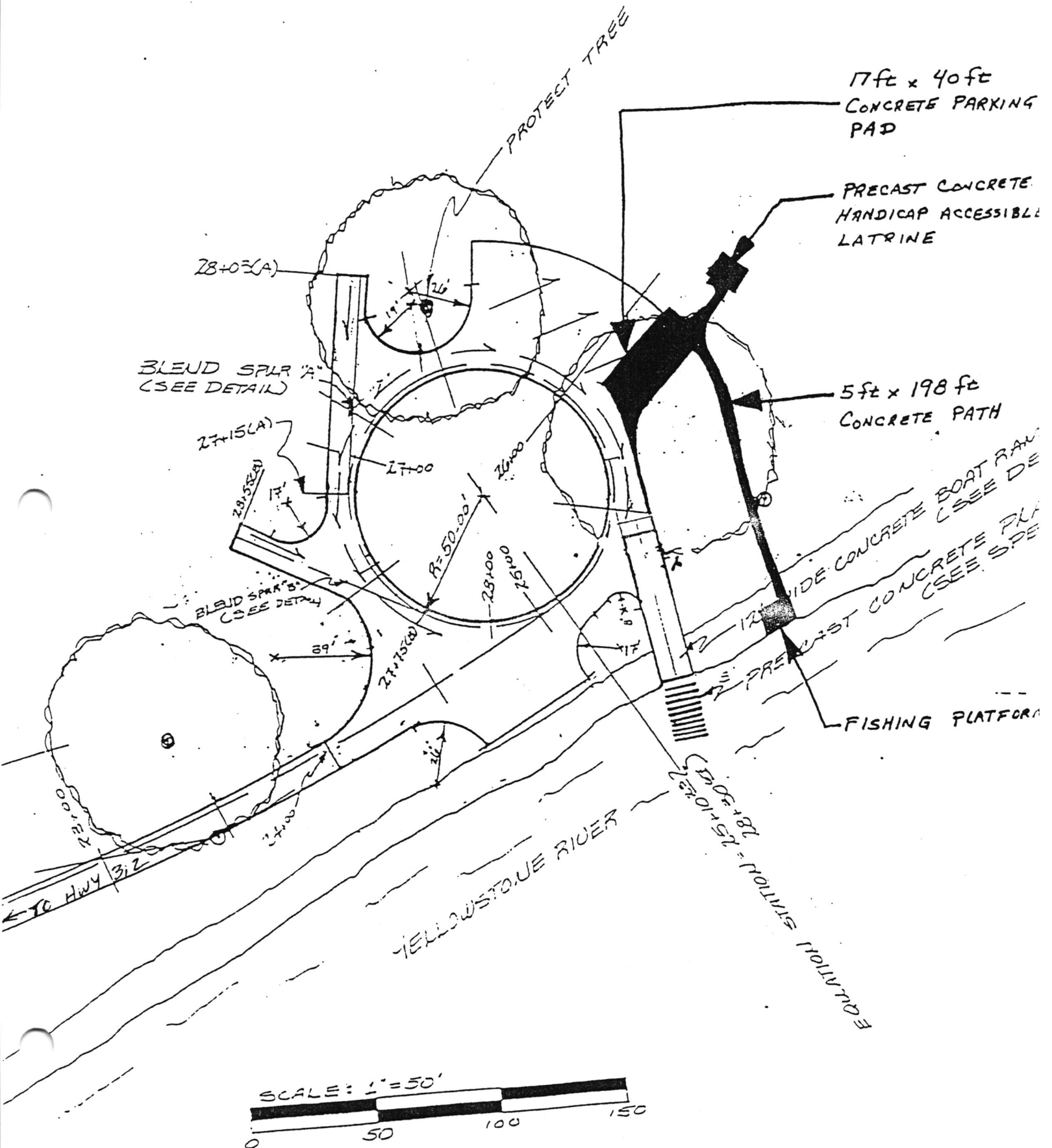
If any of the above are checked, HB495 rules apply to this proposed work and should be documented on the MEPA/HB495 CHECKLIST. Refer to MEPA/HB495 Cross Reference Summary for further assistance.

ATTACHMENT 2
SITE LOCATION MAP

Captain Clark Fishing Access Site
APPROXIMATE Boundaries
USGS Map, Waco Quadrangle, 1960
Yellowstone County, T4N, R32E, Sections 26 & 27



ATTACHMENT 3
SITE PLAN
Captain Clark Fishing Access Site



Captain Clark Fishing Access Site



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ATTACHMENT 6
TOURISM REPORT
MONTANA ENVIRONMENTAL POLICY ACT (MEPA)/HB495

The Montana Department of Fish, Wildlife and Parks has initiated the review process as mandated by HB495 and the Montana Environmental Policy Act in its consideration of the project described below. As part of the review process, input and comments are being solicited. Please complete the project name and project description portions and submit this form to:

Victor Bjornberg, Tourism Development Coordinator
Montana Promotion Division
Department of Commerce
1424 9th Ave.
Helena, MT 59620-0533

Project Name: Stabilize Fishing Platform at Captain Clark Fishing Access Site.

Project Description: Install Rip-Rap Around Handicapped Accessible Fishing Platform at Captain Clark Fishing Access Site on the Yellowstone River.

1.	<div>Would this site development project have an impact on the tourism economy?</div> <div><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If YES, briefly describe:</div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div>
2.	<div>Does this impending improvement alter the quality or quantity of recreation/tourism opportunities and settings?</div> <div><input checked="" type="checkbox"/> NO <input type="checkbox"/> YES If YES, briefly describe:</div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div> <div style="border-top: 1px solid black; height: 10px; margin-top: 5px;"></div>

Signature Victor A. Bjornberg Date Oct. 21, 1998